

Notice of Allowability

Application No.

10/045,514

Applicant(s)

FOOTE ET AL.

Examiner

Camquy Truong

Art Unit

2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed on 02/2/2005.

2. The allowed claim(s) is/are 1, 3-19, 21-37, 39-49 now renumbered as claims 1-46.

3. The drawings filed on 10/26/01 are accepted by the Examiner.

4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)

5. Notice of Informal Patent Application (PTO-152)

2. Notice of Draftsperson's Patent Drawing Review (PTO-948)

6. Interview Summary (PTO-413),

Paper No./Mail Date _____.

3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),

7. Examiner's Amendment/Comment

Paper No./Mail Date _____.

4. Examiner's Comment Regarding Requirement for Deposit

8. Examiner's Statement of Reasons for Allowance

of Biological Material

9. Other _____.

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Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Mollborn Fredrik (Registration number: 48, 587), on 3/1/2005.

3. The application has been amended as follows:

In the claims:

(i) **Delete claims 2, 20 and 38.**

(ii) **Replace claim 1:**

1. A computerized method of managing resource usage by one or more resource entities, wherein each resource entity is configured to represent an entity that consumes one or more resources, the method comprising:

in an object-based computing system, continuously determining by a resource manager with which each resource entity is registered whether a resource has reached a critical level;

when it is determined that a resource has reached a critical level, selecting by the resource manager, a first resource entity based on one or more criteria, wherein the one or more criteria include a priority value for each resource entity

and wherein the selected resource entity has a relatively lower priority than other one or more resource entities that are not selected; and

when it is determined that a resource has reached a critical level, requesting by the resource manager that the selected resource entity to change its resource consumption state to a more restrictive state by performing the request through a list to which a plurality of resource entities are registered.

iii) Replace claim 13:

13. A method as recited in claim 1, wherein the list is a ResourceNotificationList.

iv) Replace claim 19:

19. A computer readable medium containing computer code having instructions for managing resource usage by one or more resource entities, wherein each resource entity is configured to represent an entity that consumes one or more resources, the computer readable medium comprising:

computer code for continuously determining by the resource manager with which each resource entity is registered whether a resource in an object-based computing system has reached a critical level;

computer code for selecting by the resource manager, a first resource entity based on one or more criteria when it is determined that a resource has reached a critical level, wherein the one or more criteria include a priority value

for each resource entity and wherein the selected resource entity has a relatively lower priority than other one or more resource entities that are not selected; and computer code for requesting by the resource manager that the selected resource entity change its resource consumption state to a more restrictive state when it is determined that a resource has reached a critical level by performing the request through a list to which a plurality of resource entities are registered.

v) Replace claim 31:

31. A method as recited in claim 19, wherein the list is a ResourceNotificationList.

vi) Replace claim 37:

37. A object-based computer system operable to manage resource usage by one or more resource entities, wherein each resource entity is configured to represent an entity that consumes one or more resources, said object-based computer system comprising:

a memory; and
a processor coupled to the memory, wherein at least one of the memory and the processor are adapted to provide:

select a first resource entity based on one or more criteria, when it is determined that a resource has reached a critical level, wherein the one or more criteria include a priority value for each resource entity and

wherein the selected resource entity has a relatively lower priority than other one or more resource entities that are not selected; and request the selected resource entity to change its resource Consumption state to a more restrictive state when it is determined that a resource has reached a critical level by performing the request through a list to which a plurality of resource entities are registered.

4. Pursuant to MPEP 606.01, the title has been changed to read: - -

RESOURCE MANAGING SYSTEM FOR CHANGING RESOURCE CONSUMPTION STATE OF THE LOWER PRIORITY RESOURCE ENTITY TO MORE RESTRICTIVE STATE WHEN RESOURCE REACHED CRITICAL LEVEL - -.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272 -3773. The examiner can normally be reached on 8 AM- 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

Art Unit: 2127

for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

March 4, 2005


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